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FRANK A. MUNSEY

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A WAY OUT OF THE WILDERNESS FOR PATENT LAW.

If you own a patent and believe it to be infringed you must sue the offender in the United States Circuit Court. You choose that court according to the place of the infringement, or the place of sale, or the apprehension of the infringer. If you win your action, the respondent may take an appeal to the United States Circuit Court of Appeals for that Federal circuit. If, then, you win again, you would probably feel—as appeals in patent cases do not go beyond this court—that your title was clear and the infringement stopped.

Instead, you may be only at the beginning of an almost interminable litigation to protect a right granted you by the United States Government. The infringer may, and often does, set up in business in another Federal circuit. You must then sue again in the circuit court for that district, and in all probability carry your case upward to the circuit court of appeals as before. The infringer may then move again. Your only safety—save in extremely rare instances where appeals have been allowed to the United States Supreme Court—will lie in carrying appeals to each of the nine circuit courts of appeal.

The situation is hardly less than outrageous. For a vast aggregation of property rights, comprehending literally uncounted millions, there is no complete legal defense save at a cost in money, time, and tort, beyond that to which the owner of other forms of property is subjected. And there is practically no finality of judgment whatsoever.

To remedy this situation a bill was urged yesterday before the Senate Committee on Patents. Representatives of the American Bar Association, the Bar Association of Chicago, and the Bar Association of the District of Columbia joined forces in its behalf. It is safe to say the owners of the vast majority of marketable American products now protected by patents were thus represented.

The plan is to establish a new court, to be known as the Patent Court of the United States, and to become not only the place of appeal from the Federal circuit courts wherever action may be brought for infringement, but a court of final jurisdiction—save in the rare cases where, as now, appeal will lie to the Supreme Court. According to the bill, this court will sit in Washington. But the place of its sessions is of lesser importance.

Need enough for the establishment of some such court has been already set forth. But it is well to state the advantages in the form of advantages: The appeals will then be heard by a court specially qualified.

The calendar will permit of speedy trials. A judgment will prevent infringement in all nine Federal judicial districts instead of in one only as at present.

Conflicting judgments will be impossible. What is practically a supreme court of patent law will then exist where now there is practically no finality of judgment.

This bill, or some such bill, should pass at this session. The Congressional committees should place it at the head of their calendars. If the army of inventors and the corps of patent lawyers of the nation are alive to their own interests, they will press the need for this action directly upon the attention of every Senator and Representative they can reach.

HARRIMAN MERGER SUIT WILL CONTINUE.

President Taft and Attorney General Wickersham have come to the conclusion that the suit to dissolve the merger of the Union Pacific and the Southern Pacific railroad companies should not be dropped. The President has therefore directed the Department of Justice to go ahead with the proceedings. Both he and the Attorney General believe a combination in restraint of trade exists.

Judge Lovett, former Senator Spooner, and other attorneys for the Harriman properties sought to show the Administration that the Government might as well drop the suit as it could not win it anyhow. But the Government attorneys, especially Frank B. Kellogg, had heard similar talk before in relation to the Standard Oil Com-

pany case. Naturally, Mr. Kellogg was skeptical and the President and Attorney General entertain the same skepticism.

Any other decision would have been regrettable. It would have put the Administration in a position difficult of explanation. As the public is quite likely to see it, if a railroad merger of the proportions of the combination of the Union Pacific and Southern Pacific, with their parallel lines, cannot be prevented, then it is idle to try to prevent mergers at all and it might as well be frankly recognized there is nothing in the way of a consolidation so extensive as to include all the great railroads of the country.

THE DEPARTMENTS NOW A CLOSED BOOK.

Everybody knows that somebody authorized must give out news for the departments. But isn't Representative Sisson of Mississippi right? Are the departments to be closed books save or statements issued by members of the Cabinet? Closed even to members of Congress?

Read this, issued as an Executive Order under date of November 26, 1909:

Nor shall any such person respond to any request for information from either house of Congress or any committee of either house of Congress or any member of Congress except through, or as authorized by, the head of his department.

Preventing unauthorized statements is one thing. Closing the departments to Congressmen in search of information is another.

HOUSE REPUBLICANS BEING DRIVEN TO CHANGE RULES.

The House rules are on the verge of important changes. They will probably be changed before the end of this session. Last March, after the insurgent Republicans who fought for the liberalizing of the rules had been beaten by a coalition of regular Republicans and Democrats under the lead of Fitzgerald of Brooklyn, had anyone predicted that in ten months the Republican leaders themselves would be casting about to find a way to make the rules less ironclad, he would have been hooted at. But this is just what has happened.

The explanation is simple enough. The real victors in the organization of the House last spring were those who contended the rules had to be changed so as to cut down the power of the Speaker. The insurgents and Democrats who lined up with them had public sentiment behind them. Speaker Cannon and his lieutenants did not. Now, the most of the Republican leaders in the House realize that public sentiment is demanding a change and with a Congressional election coming on they are shrewd enough to perceive that the demand must be met. The President wants something done that will insure Republican success in the coming elections and prevent Democratic rule of the House and the result is that conferences are being held at the White House in which the House situation is under discussion.

One of the plans broached is to change the Rules Committee, enlarging it to nine instead of five as now; making it elective instead of having it appointed by the Speaker, and excluding the Speaker from this committee. A caucus or conference on this proposed change is favored by many members and may be held in a short time.

Some of the regulars, however, will object to excluding the Speaker from the Rules Committee, holding it would be a slap at "Uncle Joe." As to making the committee elective, there is also difference of opinion.

But the light of experience shows that the Speaker ought not be allowed to dominate the Rules Committee. He should not be allowed to appoint it and should not serve on it. The office of Speaker confers power enough in itself without the additional power given by being on the Committee on Rules. Viewed in the right way, a sensible change in the Rules Committee cannot be construed as a personal affront to Mr. Cannon. Insurgents all along have contended that they were fighting for better rules, not making war on Mr. Cannon personally. It will be idle to effect a mere enlargement of the Rules Committee without making it elective and keeping the Speaker out of it. Any other arrangement will merely invite trouble later on and be a temporary makeshift.

A WORD TO HOUSEHOLDERS AND STRAPHANGERS.

Perchance to take the mind of the public from the exciting question of food for a moment, a correspondent comes to the front with a word recommending that people shovel the snow off the sidewalks promptly, before it has a chance to cake and disheaten all but those who require the most vigorous exercise and have the determination to take it; and also recommending that straphangers line up on the right hand side of the car so that those who are going in or out may make progress without having to initiate a halfback going through a line of desperate opponents.

The thoroughness of the communication is exceptional—simple and sensible, yet uncommon on that very account. The man who sits down before the fire to figure out how to bust the Beef Trust while poor pedestrians risk their bones crossing the sidewalk that he has left to take care of itself is public-spirited only in his own estimation. As a matter of fact, he is a public nuisance; and there are a good

many of him. When he has busted the trust, he should proceed to reform himself. We have always contended that reform, like charity, should begin at home.

The regulation of straphangers, so that they will not get in one another's way and in other people's, is a novel proposition that invites general discussion. The passengers who sit down and screen themselves behind papers and bank themselves in with suit cases are, at any rate, in an orderly state. Theoretically, the car is theirs. It is not, of course, the purpose of the management to encourage straphanging. The straphanger is a superfluity, and no doubt he would contribute much to the scant conveniences of the situation if he should dispose of himself methodically, and not in the haphazard way that makes him seem to have as many legs and arms, on all sides of him, as the octopus.

We hope that these subjects will receive some of the attention left over from the frenetic anti-meat campaign.

It may make people feel better to know that, when Columbus found this Continent, it was not ornamented with a cold storage plant. At least no egg now in existence was laid previous to 1492.

Carl Jern, the unselfish singer who beguiled himself in order to let his wife marry another man, may not be such a fool after all. It all depends.

J. C. Taft finds something to do every day. Having bought a baseball team he now goes out, and has one of his clerks pinched for stealing \$1.69.

The only three things which have flourished from the beginning of the world down to the present time are whisky, gossip, and reformers.

Mr. Burbank's proposal that people eat cactus instead of meat is not so bad after all. It couldn't sting us any more than the meat does.

"The net profits of Armour & Co. do not exceed 9 per cent on the capital," says Mr. Armour. Well, what does he want? The earth?

It can not be truthfully said that the suffrage movement has reached the point where it makes a noise like a strong man's voice.

The Republicans are wise. They scare themselves to death so as to make themselves work overtime to carry the next House.

Now that the Chicago tramps have taken up the habit of drinking 5 o'clock tea, somebody may get Mr. Huntington Wilson's job.

At last reports, the weather man had nervous prostration from trying to keep up with the changes in Washington's climate.

Talk about the high cost of living. Ever think about the high cost of dying? Ever see a poor undertaker? Think it over.

More and more the public is realizing that a man doesn't have to yell like a Sioux Indian in order to be a statesman.

Dr. Wiley, that marvelous discoverer, has found another way to tell a fresh egg from one of the cold storage variety.

Governor Hadley's declaration that every family should keep a cow and chickens was not addressed to the city vote.

Indications are that Governor Hughes is about to appear as the Bluebeard of the woman suffrage movement.

Wanted—One fine Maxim silencer which will muffle the piano in the next flat after 10 p. m.

There ought to be a hospital for the treatment of political paresis. Ask the House insurgents.

A clever woman is like champagne, affecting first a man's head and later getting his heart.

Time to begin saving up for that season ticket to the ball games.

Bulletin: Mr. Glavis said.

The Philadelphia Heiress

For a child that has been carefully nurtured in the home, Miss De Janon showed a surprising knowledge of how to break into the first page—Milwaukee Sentinel.

The De Janon case affords another striking example of "The woman temptress" who, by her beauty and youth, lures a man to ruin. It does not improve with age—Philadelphia Inquirer.

If the father and grandfather of Miss De Janon have any idea of trying to show that she is mentally irresponsible, there is that poem which she wrote to her traveling companion—Chicago Record-Herald.

What's on the Program Tonight in Washington

Automobile and aeronautical show, Convention Hall.

Kentucky Republican Club, Pythian Temple, 1012 Ninth street northwest, 8 p. m.

G. A. R. Oyster Roast Club, oyster roast, 702 Seventh street northwest, 8:30 p. m.

Fair and bazaar of National Union Fraternal Society, Old Masonic Temple, Ninth and F streets.

Revel services, Ninth Street Christian Church.

Georgetown University Alumni Association banquet, New Willard.

Theaters.

National—"Merry Widow," 8:15 p. m.

Belasco—"The Dawn of a Tomorrow," 8:20 p. m.

Mr. Hill—"A Fool There Was," 8:15 p. m.

Chase's-Polite vaudeville, 8:15 p. m.

Academy—"Sal, the Circus Gal," 8:15 p. m.

Lyceum—"Town Talk," 8:15 p. m.

Gaiety—"Girls From Happy Land," 8:15 p. m.

Majestic—Vaudeville and moving pictures, 7 to 11 p. m.

(The Times will be pleased to announce meetings and entertainments in this column. Phone or write announcements.)

In the Mail Bag

The Times will accept for publication in its Mail Bag columns, short, vigorous letters on questions of public interest. It cannot undertake to publish letters exceeding 250 words, and reserves the right rigidly to condense communications which are of greater length. Letters must contain the name and address of the writer, but these will not be published if request to that effect is made.

Combining Orchestras.

To the Editor of The Washington Times: Responsive to the editorial in your issue of Wednesday, urging in substance that the two local orchestras get together, the writer, who is fairly conversant with the situation, ventures the suggestion that there is only one Washington Symphony Orchestra, an incorporated body representing an outlay of many thousands of dollars and last spring revived "to activity through the generosity of creditors, who virtually cancelled their claims, and the public-spiritedness of a body of professional musicians, who have practically donated their services for the present season.

At the head of this band we have a musical scholar, an accomplished musician, a skillful leader, and a Washingtonian, born and bred, all four in the person of Mr. Rakemann, who has been identified with the orchestra from the beginning, eight years ago, first as concert-master and recently as musical conductor. The orchestra never went out of existence, never in fact "died," though it was the custom to speak of it as "dead" after the disastrous season of 1904-5, and Mr. deKoven gave up. The organization has been kept alive, by annual meetings of shareholders, who have attended, it is true, and the maintenance of a board of directors, meeting from time to time and finally bringing out the condition which has made possible the resumption of concerts.

We may think well of a musician, whether newcomer or long among us, and whether native or foreign born, but only ONE can be chosen to serve as musical conductor of the orchestra at a time, and when that choice has been made, why may not all who have the cause of the movement at heart join cheerfully in the support of the Washington Symphony Orchestra and its worthy leader. It is indeed a pity that an imprudent and shortsighted action has weakened by division. But what's to be done? Whose move is it?

A FORMER DIRECTOR.

Cost of Living.

To the Editor of The Washington Times: In support of the claim of Secretary Wilson that the retailers of Washington are responsible for some of the high prices prevailing, the writer wishes to present his testimony as follows:

About a month ago a conversation was inadvertently overheard wherein a local grocer remarked to one of his clerks that he wished the support of the Washington Symphony Orchestra and its worthy leader. It is indeed a pity that an imprudent and shortsighted action has weakened by division. But what's to be done? Whose move is it?

Further affiant saith not.

CONSUMER.

Capital Tales

WHEN the House and Senate office buildings were constructed, Elliot Woods, superintendent of the Capitol, made every provision for the convenience and comfort of members of Congress.

In the basement of each marble structure, are swimming pools, Turkish baths, attendants to massage the weary limbs of statesmen and every other possible comfort to be found in a well-regulated Turkish bath establishment.

Whenever business drags slowly in the House and unimportant legislation is being considered several members who are fond of swimming, and who are endeavoring to have the attendants work off surplus flesh, go over to the House baths. Several members were thus occupied yesterday afternoon when a messenger rushed in to announce "A call of the House."

"A call of the House" means that a quorum is lacking, and Republicans as well as Democrats always hustle to respond to it. The bathers jumped out of the swimming pool, were half dried by the attendants, jumped into their clothes like well trained firemen, and hurried through the subway fastening collars and knotting neckties. They asked as they burst into the House, "I move that the House adjourn."

Did you call us over here to hear Paul go on about the Turkish bath? "asked one of the members to the clerk responsible for the call of the House.

"No," responded the clerk. "The Democrats were trying to slip over Lloyd's resignation from the Ballinger committee, but they couldn't get it through. So we got a few of our fellows out of the Turkish bath. We can always get our members' attention to the swimming pool and private offices."

Growing Appetites.

Increase Cost of Living.

"The way to reduce the food bill is to eat less."

After profound labor, exhaustive research into economic statistics, a searching investigation of production and demand, mixed with tremendous mental exertion, this is the solemn conclusion which a science and Prof. Milton Whitney, chief of the Bureau of Soils of the Department of Agriculture, has achieved.

Into the expert mind of the professor, science whispered this momentous fact, and straightway the professor has shouted the wondrous statement to a breathless public through the medium of a Government press agent.

Prof. Whitney (with the aid of science) deduces the astounding, radical, and marvelous axiom that if one wants his meals to cost less, he must eat less.

The professor is modest enough in making this weighty statement. With science, he also gives partial credit to Secretary Agriculture James Wilson, and congratulates James J. Hill—who used to be distinguished for his facility in accumulating railroads, but is now mainly known for his ideas on the conservation of everything, including food—for also being struck with the same identity, "is right in saying that our souls are not keeping up with the demands of our people for foodstuffs. But this is not due to a falling off in productivity." Science, he goes on to show, indicates that productivity has kept pace with the numerical growth. Then, why the increase in cost? Obviously, says the professor, because of an increased demand per capita—an increasing national appetite, a desire for more food.

Mr. Hill said something of this sort himself some time ago, but since Prof. Whitney doesn't refer to it—being engaged with science principally—probably Mr. Hill didn't state it to him personally.

Engagement of Miss Constance Hoyt To Ferdinand von Stumm Announced

Date for the Wedding Has Not Been Decided Upon.

Miss Hoyt is Popular in Diplomatic and Official Society.

The former Solicitor General and Mrs. Henry M. Hoyt announce the engagement of their daughter, Constance, to Ferdinand von Stumm, of the German embassy.

The date for the wedding has not been announced. Miss Hoyt who is exceedingly popular in diplomatic and official circles of society and who has been an acknowledged beauty since her debut here several seasons ago, is eminently fitted to be the wife of a diplomat. She has traveled extensively, is a fluent linguist, and is possessed of rare tact and a charm of manner that has won her popularity wherever she goes. Miss Hoyt is the younger sister of Mrs. Philip Hichborn, who is one of the best known and greatly admired matrons of the younger set.

Senator Keen.

Entertains At Dinner Party.

Senator and Mrs. Keen were hosts at a dinner party last evening in honor of the Vice President and Mrs. Sherman.

The second and last of the Small and Early dances was given last evening at Raucher's. Mrs. Archibald Hopkins, chairman of the committee under whose patronage the dances are given, received the guests, assisted by the members of the committee—Mrs. Richard Clover, Mrs. Robert Chew, Mrs. James Martin Johnston, Mrs. Leonard, Mrs. Frank B. Noyes, and Mrs. Newlands.

Among the dancers of last evening were a number from out of town, among them Miss Ruth Epling, Miss Margaret and Miss Harriet Anderson and Miss Katherine Anderson, of Cincinnati, wives of Mr. Taft and guests at the White House.

A number of dinner parties preceded the dance.

Mr. and Mrs. Gardner F. Williams were among those entertaining young people's dinner parties preceding the Small and Early last evening.

Representative and Mrs. Weeks were hosts at a dinner last evening, taking their guests afterward to the Small and Early dance.

Mrs. James C. Pilling entertained a party at dinner last evening for her daughter, Miss Ruth Epling, preceding the Small and Early dance. The guests were Miss Baker, of Utica, N. Y., wife of the Vice President, and Mrs. Sherman; Miss Katherine Brown, Miss Mary Chew, Miss Margaret and Miss Harriet Anderson, of Cincinnati, wives of Mr. Taft and guests at the White House.

Mrs. Tiffany.

Among Dinner Hostesses.

Mrs. Lyman Tiffany was also among the dinner hostesses of last evening who took their guests to the Small and Early. Mrs. Tiffany's guests included a number of the season's debutantes.

Mrs. Jack Gardner of Boston, who has been the guest of the Secretary of the Treasury and Mrs. MacVeagh, is now spending a few days with the Assistant Secretary of the Treasury and Mrs. Norton.

Miss Mabel Boardman was hostess at a dinner party last evening.

Mrs. Matsui.

Hostess At Informal Tea.

Mrs. Matsui, wife of the counselor of the Japanese embassy, will be hostess at an informal tea this afternoon at her residence on Bancroft place.

Mrs. Frank Ellis Altman was hostess at a reception yesterday afternoon from 5 to 8 o'clock in honor of her house guest, Miss Byrd, of Germantown, Pa.

Quantities of palms and clusters of Richmond roses adorned the drawing room and the reception hall was decorated with Killarney roses and ferns.

Mrs. Townsend.

Is Hostess At Dinner.

Mrs. Richmond Townsend entertained a brilliant dinner company last evening. Her guests were the German Ambassador and Countess von Bernstorff, the Netherlands Minister and Mme. Loudon, the Secretary of the Treasury and Mrs. MacVeagh, Mrs. Meyer, wife of the Secretary of the Navy, and Mrs. Meyer, the former Ambassador of France and Mrs. Henry White, Representative and Mrs. Nicholas Longworth, the former Secretary of the Navy and Mrs. Newberry. Mrs. M. A. Hanna, Rear Admiral Conness, Mr. and Mrs. Chandler Hale, Mr. and Mrs. Larz Anderson, Mr. and Mrs. Herbert Wade, Mr. and Mrs. Frederick A. A. Keep, Miss Ethel Roosevelt, the Spanish minister, Marquis de Villalobar, Count Czirsky, of the Austro-Hungarian embassy, Alfred Horstmann, of the German embassy, Mr. Beaumont of the Netherlands Legation, C. R. Simpkins and Miss Mathilde Townsend.

The Young Lady Across the Way

We asked the young lady across the way how her father liked the entente cordiale and she said O he didn't drink at all.



MISS CONSTANCE HOYT.

"At Home" Calendar In Washington Society

Mrs. Harry R. Howser and Miss Marie Louise Howser will receive this afternoon for the only time this season.

Mrs. Sternberg, wife of General Sternberg, will receive this afternoon for the last time this season. Assisting Mrs. Sternberg will be Mrs. Richard Butler, Mrs. Edie, wife of Colonel Edie, Mrs. Stokes, wife of Surgeon Stokes, Mrs. Burns, wife of Surgeon Burns, Mrs. Jefferson Randolph Keen, Miss Margaret Worthington, Miss Maud Merriam, Miss Ruth Noyes, Miss Margaret Brooks, Miss Marjorie Alechire, and Miss Kathleen Klein, of Fort Snelling.

Mrs. William E. Egan and Mrs. Jeffas will not receive on Tuesday, February 1.

Mrs. Diefenderfer, wife of Dr. William E. Diefenderfer, will receive on Mondays in February.

Mrs. Prince, wife of Representative Prince, will receive Tuesdays, February 1 and 15.

Mrs. William H. Daw will receive informally the last three Wednesdays in February.

Mr. and Mrs. Daw are now occupying their new residence at the corner of Twenty-third and H streets.

Mrs. Augustus P. Crenshaw and Miss Crenshaw will be at home Wednesday, February 2, for the last time this season.

Miss Catharine Britton.

Entertains at Luncheon.

Miss Catharine Britton, daughter of Mr. and Mrs. Alexander Britton was hostess at a luncheon party today. Her guests were Miss Carol Newberry, Miss Esther Denny, Miss Alice Vandergriff, Miss Maud Conrad, Miss Evelyn Chew, Miss Eleanor Ridgely, Miss Sadie Murray, Miss Carolyn Murray, Miss Helen Ritchie, Miss Annie Irwin, and Miss Katherine Gibson.

Miss Hubbard, of Williamstown, Mass., who has been visiting the Attorney General and Mrs. Wickham has returned to her home.

Miss Ruth Halford left Washington yesterday for New York, where she will be the guest of her brother and sister-in-law, Capt. and Mrs. Frank Halford, U. S. M. C., at the Brooklyn Navy Yard, for several weeks.

Miss Ida Thompson was hostess at luncheon today at her residence, on Massachusetts avenue.

Senator and Mrs. Guggenheim of Colorado were hosts at dinner last evening. Their guests were the Postmaster General, Senator and Mrs. Newlands, Senator and Mrs. Carter, Senator and Mrs. Rayner, Senator Brandegee, Dr. and Mrs. Chetard, Mr. and Mrs. William Barrett Ridgely, Mr. and Mrs. Isaac Guggenheim, of New York; Dr. and Mrs. Richard D. Harris, Dr. and Mrs. Fremont-Smith, Mrs. Ellinger, of New York, and Miss Ruggles.

Mrs. Thom Williamson will be hostess at a tea this afternoon from 4 to 7 o'clock to meet Mrs. Price Williamson and Miss Witham, of Germantown, Pa., whose engagement to Paymaster Thom Williamson, U. S. N., was recently announced.

Assisting Mrs. Williamson to receive her guests will be Mrs. Herbert Wilson and the Misses Williamson. Mrs. Mason, wife of Rear Admiral Mason; Mrs. Sackett, wife of Paymaster Sackett, and Miss Alice Goodwin will preside at the tea table, which will have a centerpiece of Richmond roses and ferns. The house decorations will be of red carnations and palms.

Miss Barbara Smith, daughter of the Rev. and Mrs. C. Ernest Smith, will entertain a small party at a tea this afternoon at 6 o'clock to meet her house guest, Miss Wolf, of Baltimore.

Palms and Enchantress carnations will form the table decorations.

Miss Dolly Cunningham Entertains Party at Tea Today.

Miss Idellia Crilley Is Guest in Whose Honor Function Is Held.

Miss Dolly Cunningham, daughter of Mr. and Mrs. S. K. Cunningham, and a niece of Mrs. John A. Logan, will be hostess at a tea this afternoon from 5 to 7 o'clock at her home, on Euclid street, in honor of Miss Idellia Crilley, a house guest of Representative and Mrs. Sylvester C. Smith, of California.

Quantities of palms, ferns, and pink carnations will adorn the drawing-rooms, and the dining-room will be decorated with ferns and Killarney roses.

Mrs. Smith will be